

Please type a plus sign (+) inside this box []

+

10-12-06

PTO/SB/21 (6-99)

Approved for use through 09/30/2000. OMB 0651-0031
Patent and Trademark Office: U.S. DEPARTMENT OF COMMERCE
Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.

AFS
8/20

TRANSMITTAL FORM

(to be used for all correspondence after initial filing)

Application Number	09/989,725
Filing Date	NOVEMBER 20, 2001
First Named Inventor	ASHKENAZI, ET AL.
Group/Art Unit	1647
Examiner Name	HAMUD, FOZIA M.
Attorney Docket Number	39780-2730P1C71

Total Number of Pages in This Submission

ENCLOSURES (check all that apply)

☒ **FEE TRANSMITTAL FORM**

- ☐ Fee Attached
- ☐ Amendment / Response
- ☐ After Final
- ☐ Version With Markings Showing Changes
- ☐ Affidavits/declaration(s)
- ☐ Extension of Time Request
- ☐ Information Disclosure Statement
- ☐ Certified Copy of Priority Document(s)
- ☐ Response to Missing Parts/ Incomplete Application
- ☐ Response to Missing Parts under 37 CFR 1.52 or 1.53
- ☐ Copy of Notice

- ☐ Copy of an Assignment
- ☐ Drawing(s)
- ☐ Licensing-related Papers
- ☐ Petition Routing Slip (PTO/SB/69) and Accompanying Petition
- ☐ Petition to Convert to a Provisional Application
- ☐ Power of Attorney, by Assignee to Exclusion of Inventor Under 37 C.F.R. §3.71 With Revocation of Prior Powers
- ☐ Terminal Disclaimer
- ☐ Small Entity Statement
- ☐ Request for Refund

- ☐ After Allowance Communication to Group
- ☐ Appeal Communication to Board of Appeals and Interferences
- ☒ **APPEAL COMMUNICATION TO GROUP (APPEAL NOTICE, BRIEF, REPLY BRIEF)**
- ☐ Proprietary Information
- ☒ **REQUEST FOR ORAL HEARING (IN DUPLICATE)**
- ☒ **ADDITIONAL ENCLOSURE(S) (PLEASE IDENTIFY BELOW):**
- ☒ **STAMPED RETURN POSTCARD**

Remarks

AUTHORIZATION TO CHARGE DEPOSIT ACCOUNT 08-1641 FOR ANY FEES DUE IN CONNECTION WITH THIS PAPER, REFERENCING ATTORNEY'S DOCKET NO. 39780-2730P1C71

SIGNATURE OF APPLICANT, ATTORNEY OR AGENT

Firm or individual name	HELLER EHRMAN LLP	GINGER R. DREGER, ESQ., REG. NO. 33,055
	275 Middlefield Road, Menlo Park, California 94025	Telephone: (650) 324-7000 Facsimile: (650) 324-0638
Signature		
Date	OCTOBER 10, 2006	Customer Number: 35489

CERTIFICATE OF EXPRESS MAILING

I hereby certify that this correspondence is being deposited with the United States Postal Service "Express Mail Post Office to Addressee" service under 37 C.F.R. §1.10 on the date indicated below and addressed to: **MAIL STOP APPEAL BRIEF - PATENTS**, Commissioner for Patents, PO Box 1450, Alexandria, Virginia 22313-1450, on this date: **OCTOBER 10, 2006**

Express Mail Label **EV 766 020 407 US**

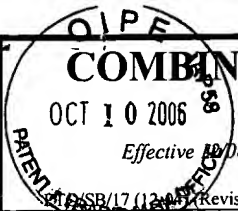
Typed or printed name **C. ROGERS**

Signature

Date

OCTOBER 10, 2006

Burden Hour Statement: This form is estimated to take 0.2 hours to complete. Time will vary depending upon the needs of the individual case. Any comments on the amount of time you are required to complete this form should be sent to the Chief Information Officer, Patent and Trademark Office, Washington, DC 20231. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Mail Stop ___, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

 <h2 style="margin: 0;">COMBINED FEE TRANSMITTAL</h2> <h3 style="margin: 0;">for FY 2006</h3> <p style="margin: 0; font-size: small;">Effective 10/08/2004. Patent fees are subject to annual revision.</p> <p style="margin: 0; font-size: x-small;">USPSB/17 (12-01-07 Revised) (For payment of 37 CFR 1.17 fees including (f), (g), (h), & (i))</p>	<input type="checkbox"/> Applicant claims small entity status. See 37 CFR 1.27
TOTAL AMOUNT OF PAYMENT (\$) 1,000.00	

Complete if Known	
Application Number	09/989,725
Filing Date	NOVEMBER 20, 2001
First Named Inventor	ASHKENAZI, ET AL.
Examiner Name	HAMUD, FOZIA M.
Art Unit	1647
Attorney Docket No.	39780-2730P1C71

METHOD OF PAYMENT (check one)				
<input type="checkbox"/> Check	<input type="checkbox"/> Credit card	<input type="checkbox"/> Money Order	<input type="checkbox"/> Other	<input type="checkbox"/> None
<input checked="" type="checkbox"/> Deposit Account				
Deposit Account Number:	08-1641 (Ref. Atty. Docket No. 39780-2730P1C71)			
Deposit Account Name:	Heller Ehrman LLP			
The Commissioner is authorized to: (check all that apply)				
<input checked="" type="checkbox"/> Charge fee(s) indicated below				
<input checked="" type="checkbox"/> Credit any overpayments and charge any deficiencies				
<input checked="" type="checkbox"/> Charge any additional fee(s) during the pendency of this application				
<input type="checkbox"/> Charge fee(s) indicated below, except for the filing fee to the deposit account				

FEE CALCULATION (continued)	
4. PETITION FEES UNDER 37 CFR 1.17 (f) Fee Code: 1462 Fee \$ 400 For petitions filed under: § 1.53(e); § 1.57(a); § 1.182; § 1.183; § 1.378(e); § 1.741(b)	Fee Paid
5. PETITION FEES UNDER 37 CFR 1.17 (g) Fee Code: 1463 Fee \$ 200 For petitions filed under: § 1.12; § 1.14; § 1.47; § 1.59; § 1.103(a); § 1.136(b); § 1.295; § 1.296; § 1.377; § 1.550(c); § 1.956; § 5.12; § 5.15; § 5.25	Fee Paid
6. PETITION FEES UNDER 37 CFR 1.17 (h) Fee Code: 1464 Fee \$ 130 For petitions filed under: § 1.19(g); § 1.84; § 1.91; § 1.102(d); § 1.138(c); § 1.313; § 1.314	Fee Paid
7. PROCESSING FEES UNDER 37 CFR 1.17 (i) Fee Code: 1808 (1803 for § 1.221) Fee \$ 130 For petitions filed under: § 1.28(c)(3); § 1.41; § 1.48; § 1.52(d); § 1.53(b)(3); § 1.55; § 1.99(e); § 1.103(b); § 1.103(c); § 1.103(d); § 1.217; § 1.221; § 1.291(c)(5); § 1.497(d); § 3.81	Fee Paid


FEE CALCULATION							
1. BASIC FILING, SEARCH, AND EXAMINATION FEES							
	FILING FEES		SEARCH FEES		EXAMINATION FEES		
Applicati on Type	Entity Fee (\$)	Small Entity Fee (\$)	Entity Fee (\$)	Small Entity Fee (\$)	Entity Fee (\$)	Small Entity Fee (\$)	Fees Paid (\$)
Utility	300	150	500	250	200	100	
Design	200	100	100	50	135	65	
Plant	200	100	300	150	160	80	
Reissue	300	150	500	250	600	300	
Provisional	200	100	0	0	0	0	
SUBTOTAL (1)						\$ 0	

8. OTHER FEES			
Entity Fee (\$)	Entity Fee (\$)	Fee Description	Fee Paid
130	65	Surcharge - late filing fee or oath	
50	25	Surcharge - late provisional filing fee or cover sheet	
130	130	Non-English specification	
2,520	2,520	For filing a request for <i>ex parte</i> reexamination	
920*	920*	Requesting publication of SIR prior to Examiner action	
1,840*	1,840*	Requesting publication of SIR after Examiner action	
120	60	Extension for reply within first month	
450	225	Extension for reply within second month	
1,020	510	Extension for reply within third month	
1,590	795	Extension for reply within fourth month	
2,160	1,080	Extension for reply within fifth month	
500	250	Filing a brief in support of an appeal	
790	395	Filing a submission after final rejection (37 CFR 1.129(a))	
1,510	1,510	Petition to institute a public use proceeding	
500	250	Petition to revive - unavoidably abandoned application	
1,500	750	Petition to revive - unintentionally abandoned application	
50	50	Processing fee for provisional apps (37 CFR 1.17(q))	
180	180	Submission of Information Disclosure Statement	
1,000	500	Request for oral hearing	1,000.00
790	395	For each additional invention to be examined (37 CFR 1.129(b))	
790	395	Request for Continued Examination (RCE)	
900	900	Request for expedited examination of a design application	
Other fee (specify)		Petitions to the Commissioner	
SUBTOTAL (4+5+6+7+8)			\$1,000.00

2. EXTRA CLAIM FEES				
Entity Fee (\$)	Small Entity Fee (\$)	Fee Description		
50	25	Each claim in excess of 20 or, for Reissues, each claim in excess of 20 and more than in the original patent		
200	100	Each Independent claim in excess of 3 or, for Reissues, each independent claim more than in the original patent		
360	180	Multiple dependent claim, if not already paid		
		Extra Claims	Fee from above	Fee Paid
Total Claims		-20** =		
Independent Claims		-3** =		
**or number previously paid, if greater; For Reissues see below				
Multiple Dependent				
SUBTOTAL (2)				\$ 0

3. APPLICATION SIZE FEE						
If the specification and drawings exceed 100 sheets of paper, the application size fee due is \$250 (\$125 for small entity) for each additional 50 sheets or fraction thereof (round up to the whole number). See 35 U.S.C. 41(a)(1)(G) and 37 CFR 1.16(s)						
Total Sheets	Extra Sheets	Number of each additional 50	Fee (\$)	Small Entity Fee (\$)		
-100 =	/50 =		x 250	OR	x 125	
SUBTOTAL (3)				\$ 0		

* Reduced by Basic Filing Fee Paid	
------------------------------------	--

SUBMITTED BY				Complete (if applicable)	
Name (Print/Type)	GINGER R. DREGER, ESQ.	Registration No. (Attorney/Agent)	33,055	Telephone	650 324-7000
Signature		Date	OCTOBER 10, 2006	Customer No.	35489